

REMARKS

The necessary changes in the specification are made herewith.

Claim 1 is amended by adding the subject matter of claims 2 and 3 thereto. Of course, claims 2 and 3 are canceled as redundant of thus-amended claim 1.

Reconsideration is accordingly respectfully requested, for the rejection of the claims as anticipated by MORRISON.

Amended claim 1 now recites that the two faces (41, 42) of the screwing head (32) and of the hemispherical portion that comes into contact with each other are of complementary hemispherical shapes and have centers of curvature that coincide substantially with the centers of curvature (14) of the hemispherical portions cooperating with each other.

MORRISON does not disclose this.

Thanks to this arrangement, the present invention has substantial advantages over MORRISON.

These advantages follow from the fact that the screw 72 in MORRISON does not have a spherical concave surface and the lug 68 does not have a corresponding spherical convex surface, both concave and convex surfaces having the same center, as now required by claim 1. This feature is apparent from Figure 1 of the present invention, at the left hand portion thereof.

Thus, as seen in especially Figure 8 of MORRISON, the screw 72 and the lug 68 have flat cooperating surfaces, or conical-convex surfaces as at 54 in Figures 5 and 6.

This makes an enormous difference, for the following reasons:

MORRISON requires five parts, namely, the pedicular screw 28, the semi-spherical screw 12, the screw 44, the lug 68 and the nut 72. By contrast, the present invention requires only three parts, namely, the pedicular screw 1, the lug 7 and the nut 32.

So much for the structural difference. Now for the functional difference:

With MORRISON's arrangement, if a surgeon wants to direct the pedicular screw into the space for implantation in a bone, he/she must make four different movements, namely:

1. orientating in the space the spherical part 12,
  2. screwing the nut 72,
  3. orientating in the space the spherical part 26,
- and
4. screwing the screw 44 to fix the part 26 with the part 12.

By contrast, with the present invention, if the surgeon wants to direct the pedicular screw into the space for implantation of a bone, he/she must make only two different movements, namely:

1. orientating the pedicular screw, which directs the threaded shank 31 in the same movement because the threaded shank 31 is integral with the pedicular screw, and

2. screwing the nut 32 on the threaded shank 31 to fix the whole assembly.

Thus, the present invention differs very substantially in structure and enormously in convenience of use, brevity of operation, and hence safety to the patient, as compared to MORRISON.

These differences cannot be said to be "obvious", and so claim 1, and hence claims 4-6 that depend therefrom, must be considered to be patentable.

In view of the present amendment and the foregoing remarks, therefore, it is believed that this application has been placed in condition for allowance, and reconsideration and allowance are respectfully requested.

The Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 25-0120 for any additional fees required under 37 C.F.R. § 1.16 or under 37 C.F.R. § 1.17.

Respectfully submitted,

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A handwritten signature in black ink, appearing to read 'Robert J. Patch', written over a horizontal line.

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